158

AN Exact Account

Of the daily

PROCEEDINGS

Of the Commissioners of

OYER and TERMINER

AT

YORK,

Against the late Horrid and Bloody

CONSPIRATORS,

With the particulars of what hath lately occurr'd in *ENGLAND*.

York Jan. 8.

UPon *Tuesday* last late at night, His Majesties Judges and Justices of *Oyer* and *Terminer* arrived here in safety, and were received with much respect, and Large expectation. Upon *Wednesday* (being *Twelfth-day*) they attended their devotions.

Yesterday, was taken up in reading of his Majesties several Commissions, for the County and City of *York*; and in preparing of the Grand Inquest with a charge, suitable to the Occasion.

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This morning early, were Arraigned Seventeen ſeveral Priſoners; Ten whereof appeared, upon clear Evidence, to have been Actually in Arms at *Farnley-Wood*, and accordingly thereupon, were convicted all of High Treaſon, by one and the ſame Jury.

The Court ſtill ſitting; the other Seven were Indicted, as Abetters, Conſulters, and Complotters of High Treaſon: Five whereof were return'd Guilty, by the Second Jury; ſo that this day (being the firſt day of Proceeding) hath produc'd Fifteen Convicts for High Treaſon, and others, *Primæ Magnitudinis*, are ſtill behind, to come upon the Stage.

As for the Fifteen this day convicted; there is not one but Captain *Oates* (in whom we find the greateſt appearance of Regret) that is either of any countenance, or note; but Young Fellows, Stupendiouſly, and deſperately reſolved for Treaſonable purpoſes: Aiming at nothing leſs than the deplorable Overthrow of King and Kingdom. This is the brief of what has paſt hitherto, the particulars more at large, I doubt not but you will receive from other hands.

York, Jan. 8.

This day were Arraigned and Tryed ſeventeen Priſoners, whereof fifteen were found Guilty; and among the reſt one *Corney* a preaching Anabaptiſt, who from the Text, *Faithful and true are thoſe which follow the Lamb*, inferr'd the lawfulneſs of the deſign, ſo it were carri'd on for love of the *Cauſe*, and not for *by ends*.

The fact was excellently opened, and as fully prov'd. The deſign came from the Biſhoprick in *March* laſt; and an Intelligence was ſetled betwixt the diſaffected, *there*, and in *Yorkſhire*; and alſo at *Ipſwich* in *Suffolk*, and other Counties: an *Oath* of *ſecrecy* taken, and Agents employed to *London* and the *Weſt* of *England*, for aſſiſtance.

In *June*; Two Agitators were ſent from *Scotland*, to reconcile the Sectaries, and theſe were entertained at one *Oldroyd's* houſe at *Dewsbury*, known by the name of the Divel of *Dewsbury*; (ſince fled) and afterwards divers meetings were appointed at a place called *Stank-houſe* in this County. Whereupon *Marſhden* and *Palmer* were ſent to *London*, as Agitators to the *Secret Committee*; and at their return, brought orders to riſe the 12 of *October*, with aſſurance that the inſurrection ſhould be General; and *White-Hall* attempted. *Notſingham*, *Glouceſter*, and *Newcaſtle* were to be ſeiz'd for Paſſes, over *Tine*, *Trent*, and *Severn*: and *Boſton* in *Lincoln-ſhire*, for

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a Port to receive succours, and Ammunition from *Holland*, and other Forreign parts. *York* they aim'd at, to make sure of this County; but of *Hull* they despaired (as *VValters* affirmed in his Testimony; who to say the truth dealt very sincerely.) All the Gentry were to be secured, and persons were dispacht, abroad for Assistance, Officers and Souldiers listed all over *England*, to oppose *Subsidies*, *Excize*, &c. To Re-establish a *Gospel Magistracy* and *Ministry*; and to restore the *Long-Parliament*; as the only *Basis* they could build upon: And lastly, to curb the *Clergy*, the *Gentry* and *Lawyers*. This is the sum of the whole matter. 59

It has been no small advantage to the Publick, that the design has been so openly, and so clearly manifested; the Tryal of these Prisoners, even in the confession of their own party having been fair and Favourable to a high degree: to the wonderful satisfaction of the County, and to the Honour of his Sacred Majesty: whose mercy to these Offenders for what they have formerly done, is not more eminent, then his Princely Moderation and Justice at present; notwithstanding the provocation of their Repeated Transgressions.

York, Jan. 9.

His Majesties Commissioners of *Oyer* and *Terminer* came hither late upon *Tuesday* nigh last: and were very honourably received by the High-Sheriff Sir *Roger Langley*, and Collonel *Frecheville* (the Governour of this Garrison,) who, both of them, with the respective Horse of the City, and some Country-Troops, Conducted them through the Town.

On *VVednesday*, they rested, and worship'd God at the Cathedral: In the afternoon, the Kings Council put their business in Order, and digested their Instructions.

On *Thursday*, (after Sermon in the Minster) the commission was open'd, in a very full and chearful appearance of the country, the Grand Jury sworn, and the charge given. After Dinner, the commission was open'd, and read in the City; but having no one business there, they adjourn'd till *Tuesday*; and return'd to the castle: where the Grand Jury gave in a bill of Indictment, against *Ralph Oates*, (commonly called Captain *Oates*) and sixteen more in custody.

The Kings council thought fit to proceed against *Oates*, and nine of them who were actually in the insurrection at *Farnley-VVood*,

and the evidence being the same against all of them, one Jury was charged with them.

The Kings witnesses made it appear in evidence, to the clear satisfaction of all men, that there was a great Plot laid in the *County Palatine* of *Durham*, for setling of a Gospel-Magistracy, and a Gospel-ministry. To which end, the design was moulded (for reconciling dissenting parties) to set on foot the Long Parliament; and this carried on by an Oath of secrecy.

This plot was by Agitators conveyed into this county among other parts, where the conspirators appointed several dayes for the Execution: but at last pitched upon the 12. of *October*. At which time, the ten prisoners (among others) met armed at *Farnley-Wood*, in Hostile manner with a Trumpet: This being fully proved, and no shaddow of defence made, the Jury found them all guilty. One *Walters* and young *Oates* behaved themselves well in their Evidence.

With the seven other prisoners, a second Jury was charg'd, who were in, only at preachings and plottings, in order to the intended General rising, which being proved against five of them, by several Witnesses, and most of their concurrent confessions: the Jury found them five guilty, but acquitted two of the seven, against whom there was but one witness, and that only of words spoken by them.

This morning, the Judges, and Justices are going to the castle to proceed in their work.

York, Jan. 9. 1663.

On *Thursday* the seventh instant the Judges read their commissions, at the *Castle*, for the *County*; (and Empannelled a Jury, and swore witnesses to give in evidence) and at the *Common-Hall*, for the *City*: The Kings Council made three degrees of Offenders.

1. Those that engaged, and met in arms.
2. Such as knew and assented to the Treason.
3. Such as knew) though they did not assent) and revealed it not.

The Grand Jury for the county, began with the first sort of Offenders; who yesterday, were arraigned, and tryed, Serjeant *Wild* laid home, and open, first the wickedness of the design to pull down Magistrates, and Ministers; to subvert all Order, under the specious pretence of setting up a Gospel-magistracy, and ministry, taking off the Hearth-money, &c. Secondly, he said the plot was first hatched in

in the Bishoprick, from thence came into this County, was here nourished; and then travailed into *Nottingham-shire*, *Lanca-shire*, *London*, and other parts, *Nottingham* should have been Garrison'd; *York* surprised; and *Boston* secured. Thirdly, He undertook to bring the guilt of this plot home to the prisoners at the bar; and so *Errington*, *Walters*, and *Greathead*, were called to prove the nature, and Generality of the design.

Errington spake to the first contrivance in *Durham*, and to several meetings he had with several persons for the contriving, and carrying it on; *Walters*, to several discourses he had with Dr. *Richardson* about it; and the Declaration of the cause of their rising, and correspondencies elsewhere; *Greathead*, and one more, to several meetings at *Leeds*; the *Spawe*; and other places, with *Richardson*, Captain *Atkinson*, and other Agents, from *London* and other parts.

Three or four witnesses were then sworn to charge the prisoners at the bar, with their Actual meeting in Arms, for the Executing of this Plot; and two Witnesses, at least, proved every one of the prisoners (except the two who were acquitted) to have been at *Farnley-Wood*, in Arms; between one and two in the morning, the 12. of *October* last; which was the day agreed upon for the rising.

Captain *Oates* excepted against the witnesses as *Participes criminis*, but that was over-ruled.

York, *January*, 9.

Since his late Majesty of Blessed Memory was here, there has not been seen such an Appearance of Persons of Quality in this Town, as now upon this occasion: Nor had ever any People fairer Play for their lives, than these Conspirators.

There were *Yesterday* brought to the Bar these Prisoners following; *Thomas Oates* a Captain, *Samuel Ellis* (his Trumpetter) *John Ellis*, *John Nettleton*, Senior, *John Nettleton*, Junior, *Robert Scott*, *William Tolson*, *John Fossard*, *Robert Oldroyd*, *Josuah Askwith*, alias *Sporling*, *Peregrine Corney*, *William Towers*, *John Redshaw*, *John Sowden*, *John Smith*, *William Ash*, *John Errington*, and *Charles Carre*.

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Two Juries for Life and Death being empannel'd, (and Persons of eminent quality) the Prisoners excepted onely against One; and put themselves upon their Tryal. Whereupon, the Evidence being open'd and the Court enform'd; Major *Walters* of *Cundell* was call'd to the Bar; who made an ingenuous Discourse of the whole Progress of the Design, reporting how it had for two years been carried on by a *Private Committee*, that sate at *London*, that he had the first knowledg of it from Doctor *Richardson* of *Rippon*; that in *July* last, they had 12000 Horse in readiness in *England*; that they had design'd a Declaration to unite all the Sectaries; and that they had proposed *Lambert* or *Ludlow* for their *Head*: and that the Rising was to begin in *Ireland*; to follow in *England*, and then in *Scotland*. *Walters* declar'd likewise, who were to command in the *West Riding*, who in the *East Riding*, and who in the *North Riding* of this County; who in *Nottinghamshire*, *Lancashire* and *Bishoprick*; and what Numbers; who were their *Agents*; *where* their *Meetings*; and what *Places* and *Passes* they were to *Surprize*. After which relation, the first *Ten* were set to the Bar; and there by Three Witnesses, *Joshuah Crowder*, *Timothy Crowder* and Young *Oates*; they were proved to have been all actually in Arms on the Twelfth of *October* last in *Farnley Wood*: upon which the Jury went out, and presently returned them *Guilty*. Then were the *Other Eight* set to the Bar; Five of which were cast. Against *Carre* there was no Evidence given. *Towers* and *Redshaw* were acquitted upon the Point of single Witnesses.

York, *Jan.* 11*th.*

Upon *Saturday* last, the Judges sate late, the Prisoners being grown more troublesom in excepting to the Jurors; especially

especially *Cotton* and *Denham* (Two of the Three that were that day cast, the third was one *Atkins*) It was observed, that when any Gentlemen were call'd with their Additions; as *Knight*, *Esquire*, &c. they would commonly except; till at last, the Clerk was order'd to leave out the *Titles*, and then they left challenging. They behav'd themselves with a most notorious insolence, *Cotton* protesting, That *he valued his Life no more than the Judg did his Handkerchief*: and *Denham* brake out also into Horrible Extravagancies.

It was particularly prov'd by *Walters* and others, against *Denham*: that he was engaged in an Agreement to seiz the Horses and Arms of the Lord *Falconbridg*, and of the Lord *Fairfax* of *Gilling*: and that they had designed to secure the Prisoners they took in *Skipton*-Castle.

York, *January* 13.

On Munday last was tried *James Newton* Mason, *Henry Watson* and *Richard Wilson*: the Two later found Guilty. Tuesday, *Carr* was call'd, who confessed himself Guilty, and was set by. *Ralph Rymer* was then call'd and indicted singly; he pleaded Not guilty, and made a large and impertinent Defense, excepted against Seven and thirty Jurors, but was at length found Guilty: and to conclude the work of this Gaol Delivery, there was call'd to the Bar *John Smurfet*, *Ralph Wade* and *John Wade*, and indicted upon Misprision, though the Evidence were sufficient to have made them Guilty of Treason, yet they to mix Mercy with Justice, as if by an united consent of Judges, Council and Jury, passed them by as Not Guilty, gave them the Oaths of Allegiance and Supremacy; ordered them to find Sureties, and so be discharged. There are yet a great many of the Rebels in the Gaol, and the Judges are now at the Castle giving Judgment.

Per-sons

Persons Condemned.

Tho. Oates, *Sam. Ellis*, *John Nettleton* sen. *John Nettleton* jun. *Rob. Scot*, *Will. Tolson*, *John Foster*, *Robert Oldroyd*, *Josuah Askwith* alias *Sparling*, *Peregrine Corney*, *John Sowden*, *John Smith*, *Will. Ash*, *John Errington*, *Rob. Atkins*, *Will. Cotton*, *Geo. Denham*, *Hen. Watson*, *Richard Wilson*, *Ralph Rymer*. *Charles Karr* reprieved.

Persons Acquitted.

William Towers, *Robert Redshaw*, *Rob. Cook*, *James Newton*, *Sam. Ward*, *Will. Sparling*, *John Smurfit*, *Ralph Wade*, *John Wade*.

A True Copy of the Court-Roll.

London, *January* 12.

From *Barbadoes* came lately an Express from the Lord *Willoughby*, which gives an assurance of the Settlement of that Island, at the most for their own advantage and His Majesties service. Four compleat Regiments are now formed for its defense, One of Horse and Three of Foot; of which that which bears the colours and Name of His Majesty, consists of 2400 effective, besides which His Majesty is sending an addition of 12 Pieces of Ordinance to strengthen the place. This being so well secured, his Lordship is going to *Santa Lucia* to settle a Plantation there, and from thence to render that place also serviceable to the Crown and Interest of *England*.

On *Jan.* 15. Sir *Richard Fanshaw* takes leave at Court, and next week goes away as Lord Ambassador for *Spain*. Sir *John Lawson* convoys him, and from thence goes out with the Ships, which (with those sent out lately under Cap. *Smith*,) make 11. Sail to *Algiers* to reduce those Pyrats to reason.

My former told you Colonel *Muddiford* was appointed Governor of *Jamaica*; this, that His Majesty for the better encouragement of all such as desire to go thither, hath granted to all persons of what persuasion soever, free Liberty of Conscience, and as much Land *gratis* as they shall be able to stock.

Sir *William Petties* New invented Vessel is now at *Portsmouth*, and hath by her enduring the Sea, answered the grand Objection made against her, That in rough weather there was no security in such a Bottom.

Jan. 4. as I am inform'd, Mr. *John Davys* was taken from the Tower, and carried aboard for *Tangier*.

The Dutchess of *York* has been sick, and is perfectly recovered of the Meazels.

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